

IFW

ReedSmith

Mark R. Shanks
Direct Phone: 703-641-4304
Email: mshanks@reedsmith.com

Reed Smith LLP
3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042
703-641-4200
Fax 703-641-4340



October 31, 2006

United States Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. National Phase Appl. No.: 10/567,031
Based on PCT/JP2004/11269
Filed: February 3, 2006
For: *Packaging Apparatus, Measuring and Packaging Apparatus,
and Method for Producing Package*
Inventors: HASHIBA, et al.
Our Ref. No.: 358275.20013

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Supplemental Information Disclosure Statement with Cited References; and
2. One Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of this documents, and that it be returned to our courier.

Respectfully submitted,

REED SMITH LLP

Mark R. Shanks
Reg. No. 33,781

MRS:sg
Encl.

LONDON ♦ NEW YORK ♦ LOS ANGELES ♦ SAN FRANCISCO ♦ WASHINGTON, D.C. ♦ PHILADELPHIA ♦ PITTSBURGH ♦ OAKLAND
MUNICH ♦ PRINCETON ♦ FALLS CHURCH ♦ WILMINGTON ♦ NEWARK ♦ MIDLANDS, U.K. ♦ CENTURY CITY ♦ RICHMOND ♦ LEESBURG

reedsmith.com

FRXLIB-445577.1-MRSHANKS 10/31/06 1:24 PM



Att'y Dkt. No.: 358275.20013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HASHIBA, et al

Appl. Serial No.: 10/567,031

Filing Date: February 3, 2006

Art Unit:

Examiner:

Att'y. Docket: 358275.20013

Title: Packaging Apparatus, Measuring and Packaging Apparatus, and Method
for Producing Package

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
Alexandria, VA 22314

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐2. The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐c. Attached is our check no. _____ in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).

☐3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicants hereby petition that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

☐a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐b. I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

☐4. Relevance of the non-English language documents is discussed in the present specification.

☒5. The document(s) was/were cited in a corresponding foreign application. ☒A copy of a search report issued in the foreign application is attached. ☐ An English language version of the foreign search report is attached for the Examiner's information. M.P.E.P. § 609 (A)(3).

☐6. A concise explanation of the relevance of the non-English language document(s) ☐ is attached hereto or ☐ appears below.

- ☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
- ☐ 8. Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☐ 9. Other: Documents were cited in the International Search Report.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0622

Respectfully submitted,

REED SMITH LLP

By:

Mark R. Shanks

Mark R. Shanks
Reg. No. 33,781

Date:

10/31/06

3110 Fairview Park Drive
Suite 1400
Falls Church, VA 22042
703-641-4200

32256
PATENT TRADEMARK OFFICE



Form PTO 1449	ATTY. DOCKET NUMBER 358275.20013	SERIAL NUMBER 10/567,031
U.S. Department of Commerce Patent and Trademark Office	Packaging Apparatus, Measuring and Packaging Apparatus, and Method for Producing Package	
Information Disclosure Statement by Applicant	FILING DATE February 3, 2006	GROUP

U.S. Patent Documents

Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
		5,170,609	Dec. 15, 1992	Bullock, et al.			Jan. 22, 1991
		6,254,911 B1	Jul 3, 2001	Komatsu			Nov. 2, 1999
		4,738,287	Apr. 19, 1988	Klinkel			Mar. 3, 1987

Foreign Patent Documents

Examiner Initial		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
		GB 2 124 995 A	29 Feb. 1984	United Kingdom			X	
		299019	14 Jan. 2003	Korea				X

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

		EP Search Report
EXAMINER		DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP 609; draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant		

PTO1449